

SO ORDERED

s/James B. Clark

James B. Clark, U.S.M.J.

Date: 3/17/2017

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& ENGLISH**
ATTORNEYS AT LAW

March 16, 2017

VIA ECF

Honorable John Michael Vazquez, U.S.D.J.
United States District Court for the District of New Jersey
U.S. Courthouse
2 Federal Square
Newark, NJ 07101

**Re: *John Doe 1 et al v. Chiquita Brands International, Inc. et al*,
Case No. 2:07-cv-03406 -JMV-JBC**

Cynthia S. Betz
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Dear Judge Vazquez:

On behalf of Defendants Cyrus Freidheim, Charles Keiser, Robert Kistingner, Robert Olson, and William Tsacalis (collectively, the "Individual Defendants"), we write to request a two-week extension to the time in which the Individual Defendants may respond to Plaintiffs' Motion for Leave to File a Third Amended Complaint, currently returnable on April 3, 2017 ("Motion").

The Individual Defendants' response to the Motion is currently due Monday, March 20. As we have done in the past, we are preparing a joint response on behalf of all five Individual Defendants, along with their respective co-counsel. Given the coordination involved, we have determined that additional time beyond this coming Monday is necessary to prepare our joint response.

Therefore, we respectfully request Your Honor grant the Individual Defendants until April 3 to respond to the Motion. We sought Plaintiffs' consent to this extension, but they would only do so with conditions to which we could not agree. Plaintiffs asked that when making our request that we advise the Court of their position: "Plaintiffs believe that all briefing on this motion [for leave] should be stayed until it may be considered by the MDL court. If such a stay is denied, Plaintiffs do not object to Defendants' proposed briefing schedule."¹

¹ While the issue is not essential to resolving this simple request for a two-week extension of time, Plaintiffs' position is confounding. They filed the Motion less than a week ago and have not moved to "stay" briefing on it. As such, there is no application or motion before the Court to "stay" briefing on the Motion. This makes Plaintiffs' position unworkable given that the Individual Defendants' response is currently due this coming Monday.

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We appreciate the Court's consideration of this matter.

Respectfully submitted,
/s/ Cynthia S. Betz
Cynthia S. Betz

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c: Counsel of Record (via ECF)